

**REMARKS**

Claims 5, 7, 8, and 13 are cancelled, without prejudice. Claims 1 and 12 are amended based upon such disclosure as that appearing on pages 43-45 of the specification. New claim 15 is added, based on disclosure on page 47 of the specification. New claim 16 is added, based on disclosure on page 46 of the specification. No new matter is introduced by this Amendment. Claims 1-4, 12, and 14-16 are now pending in this application.

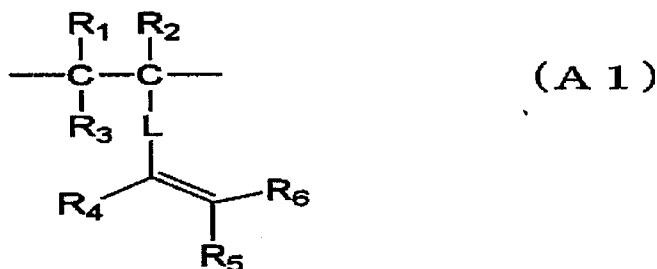
**Rejection over Takahashi**

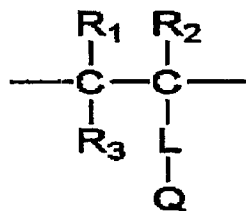
Claims 5, 7, and 13 were rejected under 35 U.S.C. § 102(b) as being anticipated by US 2003/0186162 A1 (Takahashi). Office Action, pages 2-4. This ground of rejection is rendered moot by the cancellation of claims 5, 7, and 13.

**Rejection over Sugasaki in view of Mitsumoto and Sunichi**

Claims 1, 2, 4, and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over US 2003/0207204 A1 (Sugasaki) in view of US 2004/0197701 A1 (Mitsumoto) and JP 2003-223007 (Sunichi). Office Action, pages 4-7. It is respectfully submitted that this ground of rejection does not apply to the claims in their current form.

The Examiner admits that Sugasaki fails to teach or suggest the undercoat of the present invention. The Examiner relies upon Mitsumoto to remedy this deficiency of the Sugasaki reference. However, Mitsumoto fails to teach or suggest an undercoat layer that consists essentially of a polymer having repeating units of the formula (A1) and the formula (A2)





(A 2)

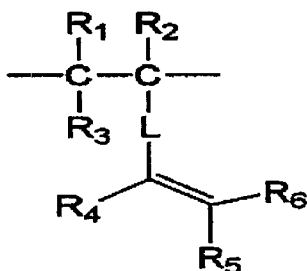
as those formulas are defined in Applicants' claims. The Sunichi reference also fails to teach or suggest that polymer as an undercoat layer.

Accordingly, the inventions of claims 1, 2, 4, and 12 currently pending in the application are not rendered unpatentable by the combination of the Sugasaki and Mitsumoto and Sunichi references.

Rejection over Sugasaki in view of Mitsumoto, Sunichi, and Fujii

Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugasaki in view of Mitsumoto and Sunichi and US 2002/0180944 A1 (Fujii). Office Action, pages 7-9. It is respectfully submitted that this ground of rejection does not apply to claim 3 in its current form.

The Examiner admits that the primary reference, Sugasaki, fails to teach or suggest the undercoat of the present invention. The Examiner relies upon Mitsumoto to remedy this deficiency of the Sugasaki reference. However, Mitsumoto fails to teach or suggest an undercoat layer that consists essentially of a polymer having repeating units of the formula (A1) and the formula (A2)



(A 1)



as those formulas are defined in Applicants' claims. Likewise, neither Sunichi nor Fujii teaches or suggests that polymer as an undercoat layer.

Accordingly, the invention of claim 3 as it is currently pending in the application is not rendered unpatentable by any combination of the Sugasaki and Mitsumoto and Sunichi and Fujii references.

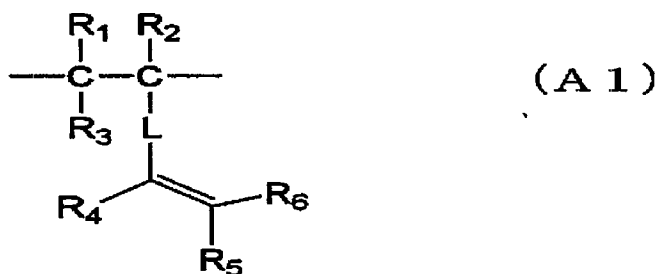
Rejection over Takahashi in view of Saeva

Claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi in view of US 5,141,969 (Saeva). Office Action, page 9. This ground of rejection is rendered moot by the cancellation of claim 8.

Rejection over Takahashi in view of Furukawa

Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi in view of US 2001/0018164 A1 (Furukawa). Office Action, page 10. It is respectfully submitted that this rejection does not apply to claim 14 as amended herein.

The Examiner had contended that Takahashi suggests an undercoat layer including a compound having a polymerizable group, a group of the formula  $-\text{OPO}_3\text{H}_2$ , and a group of the formula  $-(\text{OCH}_2\text{CH}_2)_n-$  wherein n is 1 to 50 (i.e., the former scope of claim 14). However, Takahashi fails to teach or suggest an undercoat layer that consists essentially of a polymer having repeating units of the formula (A1) and the formula (A2)



as those formulas are defined claim 14. The Sunichi reference also fails to teach or suggest that polymer as an undercoat layer.

Accordingly, the invention of claim 14 as it is currently pending in the application is not rendered unpatentable by the combination of the Takahashi and Furukawa references.

### Conclusion

Applicants respectfully submit that claims 1-4, 12, and 14-16 are patentable over the prior art of record. Favorable action on the merits of this application is earnestly solicited.

### Contact information

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Richard Gallagher (Registration No. 28,781) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


Application No.: 10/593,625

Docket No.: 0649-1366PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: April 10, 2009

Respectfully submitted,

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